

Oregon that I applaud him for this, and I would ask that my name be included as one of his original cosponsors.

#### PROHIBITING CONVEYANCE OF LAND AT LONG BEACH NAVAL STATION

Mr. INHOFE. Mr. President, I rise today to share with you and with my colleagues something I think is quite significant that is taking place, and also to correct some of the things that I have said that I found to be untrue.

I was on the floor yesterday introducing an amendment to the 1999 Senate defense authorization bill. In this authorization bill, I have an amendment that would stop the transfer of land in California at Long Beach to the COSCO, which is the Chinese Ocean Shipping Company. I would like to share why this is an important amendment.

I don't criticize any of my fellow Senators. But when I started talking about this yesterday, and I moved to set aside the Feinstein amendment in order to consider my amendment to stop the transfer of land to COSCO out in California, there was objection to that unanimous consent request. In a way, I think that is good because it gives me an opportunity to go into a lot more detail and to talk on some talk radio shows to alert America as to the seriousness of something that is happening out there.

I would like to start off by saying, however, that when I talked on the floor about the fact that President Clinton signed a waiver back in 1996, and then another waiver in 1998 that allowed the transfer of technology to the Chinese, this was something that I thought was done in secret. I found out just this morning that it was not done in secret. He signed a waiver. He apparently did not disobey any law or violate any law in so doing. However, since I am a member of both the Intelligence Committee and the Senate Armed Services Committee, and I was not aware that he signed the waiver in 1996 or 1998, and not one of my colleagues who I have talked to was aware of it, I reasonably assumed that it was done in secret.

To kind of give you the sequence in which this happened, I will tell you, Mr. President, that in June of 1989 we all saw what happened on the Tiananmen Square. At that time, as a result of the Tiananmen Square massacre, our country imposed some sanctions banning U.S. trade in dual-use technology. The President retains the power to grant waivers on a case-by-case basis. It seems to me that this President has an obsession in granting waivers and preferential treatment to China. In a minute I am going to read an article from this morning's New York Times that might shed a little light as to why the President was doing this. Let me finish with this sequence of events.

From 1990 to 1995, there were some waivers given for certain technologies.

In 1995, President Clinton offered a waiver for commercial satellites, allowing U.S. satellites to be launched on Chinese rockets. The Loral Corporation—maybe it was a coincidence—which was the single largest contributor to the Democratic National Committee in two Presidential elections, in 1992 and 1996, took advantage of this waiver. So we had our commercial satellites placed on rockets that were designed and manufactured by the Chinese government. Anyway, one of these rockets went off, and there was an explosion in 1996, and they went in to investigate as to why the explosion took place. In 1998, just 2 months ago, in February of this year, the President granted another waiver allowing the transfer of information to China which gave them more reliability and accuracy in their missiles.

Now, I would like to put this in a context that is easier to understand for a lot of people who are not involved in these issues. I am from the State of Oklahoma. It is a known fact—there is nothing classified about it—that both China and Russia have missiles that can reach the United States from anyplace in China or Russia. Specifically, in the case of China, they have their CS-4 missile that has a range of 8,000 kilometers, and by going the polar route, it will reach anyplace in the continental United States or any part of the United States. So this missile will do it.

However, with the technology the Chinese had before the President allowed our technology to go over there and give them more accuracy, their missile could hit my State of Oklahoma but it could not pinpoint any particular city like Oklahoma City or Tulsa or Fort Sill or any of our military establishments. With this technology, it gives them the accuracy to do that. So that is what the President did. I am very concerned about this obsession that the President has to share everything that we have with the Chinese.

Let's keep in mind we are talking about the China Ocean Shipping Company. It is not just owned by the Chinese. It is owned and run by the Communist Chinese military. It was only a week ago Monday that the Washington Times came out and disclosed the content of a CIA report. This report stated that there were some 18 CS-4 missiles that China had that were targeted at various places around the world, and 13 of those missiles are targeted at cities, major cities in the United States of America.

Now, when you get a little bit concerned about the President giving preferential treatment to China with all these waivers, allowing them to have our technology so they can pinpoint their targets, and then we find out, as I think most of us knew anyway, that there are rockets in China, ICBMs aimed at major cities in the United States of America, it is very, very distressing.

This morning in the New York Times this article on the front page right here says, "Democrat Fund-Raiser Said to Name China Tie." This is a major breakthrough, and it may shed some light as to why the President has been granting these waivers and giving this Presidential treatment, and in my opinion changing his policy to the Far East from what it was when he ran for President in 1992. I recall that he made statements in opposition to MFN status for China. Now he is the leading advocate for MFN status for China. He was one who was opposed at one time to the normalization of our relations with Vietnam, and, of course, now, as we all know, he has headed up an effort that has successfully normalized those relations. He is right now spending much of his time trying to convince Congress to let the IMF bail out some Far Eastern banking concerns to the extent of \$18 billion.

Let me just read, Mr. President, the first four paragraphs from this article in the New York Times, "Democrat Fund-Raiser Said to Name China Tie."

A Democratic fund-raiser has told Federal investigators he funneled tens of thousands of dollars from a Chinese military officer to the Democrats during President Clinton's 1996 re-election campaign, according to lawyers and officials with knowledge of the Justice Department's campaign finance inquiry.

The fund-raiser, Johnny Chung—

We all remember Johnny Chung, this friend of President Clinton's of long-standing—

told investigators that a large part of the nearly \$100,000 he gave to Democratic causes in the summer of 1996—including \$80,000 to the Democratic National Committee—came from China's People's Liberation Army through a Chinese lieutenant colonel and aerospace executive whose father was Gen. Liu Huaqing, the officials and lawyers said.

General Liu was then not only China's top military commander but also a member of the [top] leadership of the Communist Party.

It goes on to talk about this. It says.

... investigators regard the identification of Ms. Liu—

This is his daughter—

as a breakthrough in their long search for confirmation of a "China Plan." The hunt was prompted after American intelligence intercepted telephone conversations suggesting that Beijing considered covertly influencing the American elections.

I am quoting all this out of an article that is in today's New York Times.

Now, Mr. President, I do want to go back and address my amendment because my amendment is going to be before this body this coming Tuesday, and when it is, I want to make sure that all of my colleagues who are watching right now, or listening, hopefully, have full knowledge of exactly what this amendment is all about.

First of all, I think it is important to look at what is COSCO. COSCO—that stands for the China Ocean Shipping Company—is owned by not just the Chinese Government, but it is run by China's military. COSCO reports to the Chinese Ministry of Communication which falls under the State Council

which in turn is led by Communist Party politburo member and Premier Li Peng.

Now, I noticed the other day—I am quite sure it was in the Washington Times—that Sven Kramer, who has long served the National Security Council under both Democratic and Republican administrations—I think everyone in this body is familiar with Sven Kramer—said he is disgusted with the cavalier actions of an administration that critics say put a dial-for-dollars campaign ahead of national security. Kramer asserts he finds it difficult to believe that the United States would surrender key ports in Long Beach and at either end of the Panama Canal to the PLA—that is the People's Liberation Army—led shipping company called COSCO. He cites the "foolishness of the intelligence community" for not blowing the whistle on these operations.

So we have COSCO as a government-owned shipping company that is planning to take over the land in the Long Beach area which requires the President of the United States to sign a waiver.

Now, does anyone doubt that the President will sign this waiver? I have no doubt at all. I can stand on this Senate floor, and say that the President is planning to do that, because any President who signs a waiver allowing, in 1996 and in 1998, the Chinese to have technology that will give their missiles more accuracy to hit targets in the United States when we already know there are some 13 missiles that are targeted to the United States, would certainly not hesitate to sign this waiver. And so we have areas of concern about this company COSCO.

One of these areas of concern is that in March of 1996, in Oakland, CA, the COSCO ship *Express Phoenix*—that is the name of the ship—transported 2,000 illegal Chinese weapons, AK-47s—these are the machine guns, not the AK-47s that will fire one round at a time; those are replicas; these are the real things—transported 2,000 illegal Chinese machine guns to be used on and sold to California street gangs, to be used by street gangs. Fortunately, we found out about it and the guns were confiscated by the FBI.

This is also the same shipping company that has been stopped by the U.S. Coast Guard some six times because of various violations. This is the one that, in December of 1996, created a lot of damage to a boardwalk in New Orleans in their harbor. It also is the same shipping company that is in the process of gaining control of both the entrance and exit—it depends on which way you are going—of the Panama Canal, on the Atlantic and on the Pacific sides.

So we do have great concern over what COSCO has been doing. Last year, in the 1998 Senate authorization bill, the Senate defense authorization bill, I had an amendment that I wanted to put on. We were unsuccessful in getting

it on. Congressman DUNCAN HUNTER over in the House of Representatives was unable to get his amendment on also. So he and I have been trying to do it this year. It is an amendment that would stop COSCO from being able to benefit from the transfer of this property.

On April 29, 1998, an appeals court decided that the Port of Long Beach followed State law in its environmental review process to plan to lease the land of the former Long Beach Naval Station to COSCO. So you can see, we are much closer than we were last year at this time when we tried to put these amendments on.

Anyway, I applaud Congressman DUNCAN HUNTER, who was able to offer and successfully pass an amendment in the House National Security Committee by a margin of 45 to 4. I am introducing an amendment that does exactly the same thing.

For people who are not aware of the process that is used around here, when you pass the defense authorization bills, they are passed by both the House and the Senate. Those items that are different from the House and Senate bills go into a conference committee. That conference committee is manned by both Members of the House and Members of the Senate. I will be a conferee on that conference committee.

By passing this amendment this coming Tuesday, we will be able to use the same language as Congressman DUNCAN HUNTER used successfully in putting it on the House version of the authorization bill and it will not be what we call a conferenceable item; in other words, it will be in there and it will be a done deal. So that is how significant this is, that we are able to get this passed.

I am hoping, if there is anyone out there who is really concerned about what is going on in our relationship with China, about the China missiles that are targeting sites in the United States, and are concerned about the preferential treatment we have been giving China when China—and you stop and think about this. Now the administration admits that there are some 25 nations that have weapons of mass destruction, either biological, chemical, or nuclear. And some of these nations are run by people who murder their own grandchildren, so they would not have any reluctance about sending a missile in our direction.

You might remember Saddam Hussein, who made the statement during the Persian Gulf war that if he had just waited a little bit longer to take his action in Kuwait, he might have had a missile that he could have used to stop us from interfering with what he was doing in Kuwait. That is pretty much a direct threat. You might remember also, it wasn't very long ago, a little over a year ago, when Taiwan was wanting to hold its elections and China was trying to intimidate Taiwan, that they were firing missiles in the Taiwan Straits. The second highest Chinese

military official said: No, we are not concerned about the United States getting in here and getting involved, because they would rather defend Los Angeles than defend Taipei.

So, I say there is a threat out there. Those individuals, most of them liberals, most of them who want to continue the demise of our military defense system in this country where right now we are approximately one-half the force strength we were back in 1991—those individuals like to perpetuate this notion that somehow the cold war is over and there is no longer a threat out there, let's take that money and put it in social policy. And that is what we have been doing since this President was elected in 1992.

With that, while this doesn't resolve all the problems that we have, we still do not have any way of defending ourselves. I hope that everyone who is concerned with this issue, who is concerned with the transfer of our technology to China to allow them to pinpoint areas in the United States of America, will be aware of the fact that we do not have a national missile defense in America. How many people in America are aware that, if they fire a missile from Beijing and it comes over toward the United States of America, and it is headed for Washington, DC, it takes 35 minutes to get over here? If you ask the average person, what would Government do if that should happen—because certainly we have the satellite technology to know when they are launching these missiles—they say, well, I assume that Government would do something and knock down this missile during that 35 minutes it is coming over.

Here is the problem. We don't have the capability to do that. Somebody very smart, back in 1983, decided they were going to put together a program to deploy a national missile defense system by fiscal year 1998. That is now, fiscal year 1998. They were pretty smart back then, because now is when we need it. Now is when the threat is out there. Now is when we pick up the newspaper and we see things that are happening and that there are countries out there with weapons of mass destruction and now with the missile capability of hitting the United States. We need to do something.

The reason we cannot knock down a missile is not that we don't have missiles that will knock down missiles, it is just that in trying to adhere to these silly treaties like the ABM Treaty and some of the START treaties, disarmament treaties, we have agreed with parties in the former Soviet Union not to defend ourselves, or have a system that will adequately defend ourselves against a missile that is coming over from a foreign country. This is insane that we are doing this, but we are.

So, while we do have missiles, we can't knock down a missile that is coming over to the United States until it reenters the atmosphere. By that time, you have only 1 or 2 minutes to

hit it, and it is going at such a velocity, our technology doesn't have anything that goes fast enough to knock it down. So we are naked right now to any kind of an attack that comes by way of missile from any of these countries that are out there that have access to missiles.

Don't think that just because China and Russia are the only countries that have these missiles, and they love us so dearly, supposedly, that no other countries can have missiles to deliver these weapons of mass destruction, because we know that both China and Russia are dealing, selling their technology to countries like Iran and other countries. So they are going to be able to have these missiles.

About a week ago, I was reminded again about how we are being lulled into, I suppose, a euphoric feeling of complacency, that there is not any threat out there. In a recent letter to a member of the Senate, Gen. Henry Shelton, the Chairman of the Joint Chiefs of Staff, said we are going to have 3 years' notice before there is any real threat of any missile coming over.

He said he thought we would have 3 years' notice because our intelligence tells us we are going to have 3 years' notice. It was only days later after he made that statement that we found out about the nuclear tests in India. And India—we find out in only this morning's paper it is understandable why they are doing this, because with the preferential treatment that we have given China, they are trying to build some type of system that will give them the capability of deterring aggression from the adjoining countries, both China and Pakistan.

So the threat is out there. I suggest, if our intelligence is good enough to rely on that we are going to have 3 years' notice before any ICBM comes over, that is the same intelligence that told us there wasn't anything going on in India.

On Tuesday, we will be offering this amendment. I am hoping all of my colleagues will be very sensitive to the fact that the No. 1 purpose for Government is to defend Americans against attack. We will have an opportunity to go a long way in accomplishing that this coming Tuesday, by passing my amendment to the defense authorization bill that will stop the transfer of this land from the United States to the China Ocean Shipping Company.

I yield the floor.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, May 14, 1998, the federal debt stood at \$5,492,886,169,970.40 (Five trillion, four hundred ninety-two billion, eight hundred eighty-six million, one hundred sixty-nine thousand, nine hundred seventy dollars and forty cents).

One year ago, May 14, 1997, the federal debt stood at \$5,339,781,000,000 (Five trillion, three hundred thirty-

nine billion, seven hundred eighty-one million).

Five years ago, May 14, 1993, the federal debt stood at \$4,247,909,000,000 (Four trillion, two hundred forty-seven billion, nine hundred nine million).

Twenty-five years ago, May 14, 1973, the federal debt stood at \$453,698,000,000 (Four hundred fifty-three billion, six hundred ninety-eight million) which reflects a debt increase of more than \$5 trillion—\$5,039,188,169,970.40 (Five trillion, thirty-nine billion, one hundred eighty-eight million, one hundred sixty-nine thousand, nine hundred seventy dollars and forty cents) during the past 25 years.

#### DIGITAL MILLENNIUM COPYRIGHT ACT

Mr. KYL. Mr. President, I rise today to speak about a section in the Digital Millennium Copyright Act that I am particularly proud of, and that is the law enforcement exception in the bill. At the Judiciary Committee markup, Senator GRASSLEY and I, along with the assistance of Chairman HATCH and Senator ASHCROFT worked to strengthen the law enforcement exception in the bill. We received input on the language from the copyright community and the administration: the National Security Agency (NSA), the Central Intelligence Agency (CIA), the Departments of Commerce and Justice, and the Office of Management and Budget (OMB).

The law enforcement exception ensures that the government continues to have access to current and future technologies to assist in their investigative, protective, or intelligence activities. I am concerned that the tools and resources of our intelligence and law enforcement communities are preserved—and more importantly, not limited, by passage of S. 2037. Under that bill, a company who contracts with the government can continue to develop encryption/decryption devices under that contract, without having to worry about criminal penalties.

Because much of our leading technologies come from the private sector, the government needs to have access to this vital resource for intelligence and law enforcement purposes.

The law enforcement exception recognizes that oftentimes governmental agencies work with non-governmental entities—companies, in order to have access to and develop cutting edge technologies and devices. Such conduct should not be prohibited or impeded by this copyright legislation.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WARNER (for himself and Mr. ROBB):

S. 2086. A bill to revise the boundaries of the George Washington Birthplace National Monument; to the Committee on Energy and Natural Resources.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER (for himself and Mr. ROBB):

S. 2086. A bill to revise the boundaries of the George Washington Birthplace National Monument; to the Committee on Energy and Natural Resources.

#### GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT LEGISLATION

Mr. WARNER. Mr. President, I rise today to introduce legislation which would preserve a tract of land of legendary historic significance. Many of my colleagues have heard me speak on the importance of preserving the legacy of George Washington, and have joined me as cosponsors of Senate Resolution 83, to commemorate the bicentennial of the death of our Founding Father. We have the opportunity to protect the scene of George Washington's early life, the site at which young Washington undertook lessons that taught him the principles which guided his life. By extending the boundaries of the George Washington Birthplace National Monument to include the 85 acre area in Stafford County, Virginia, known as Ferry Farm, we may celebrate that expanse of land where Washington developed his extraordinary character.

Ferry Farm was the childhood home of our first President. Lying across the Rappahannock River from historic Fredericksburg, Virginia, it is the site of the legendary cherry tree, chopped down by a boy who could not tell a lie. Here, a fable recounts, young Washington threw a stone across the Rappahannock, one of the last unspoiled scenic rivers in the country. And it was here that Washington developed those qualities of honesty, integrity, loyalty, perseverance, and devotion to public good which make him the indomitable role model for our country and the world at large. By preserving this site, we will sustain the environment in which our Founding Father grew into his role as a leader in military strategy as well as democratic principles. The exploration, research, and interpretation of this site